

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT APPLEBAUM,

Plaintiff,

-v.-

MAGONIS US LLC, et al,

Defendants.

24 Civ. 1861 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

Before the Court is Plaintiff’s motion for a default judgment against Defendants Magonis US LLC and Magonis Boats SL. ECF No. 19. The Court previously directed Plaintiff Robert Applebaum to move for a default judgment against Defendant Magonis US LLC or to show cause why his claims against Magonis US LLC should not be dismissed for failure to prosecute. ECF No. 9 at 1. On May 10, 2024, on Plaintiff’s applications, ECF Nos. 10, 12, the Clerk of Court entered certificates of default as to both Defendants. ECF Nos. 16, 17.

According to the Court’s Individual Rules and Practices in Civil Cases, any motion for a default judgment should include, *inter alia*, “[a] memorandum of law setting forth: i. legal authority for why service of the summons and complaint was proper; ii. choice of law; iii. the elements of each cause of action as to which default judgment is sought, with supporting legal authority; iv. for each defendant and for each cause of action as to which default judgment is sought, an analysis demonstrating that the facts pleaded in the complaint support the conclusion that the relevant defendant is liable with respect to that cause of action; v. legal authority supporting each category of damages requested; vi. legal authority for why an inquest into damages is or is not necessary; and vii. where, in the view of the moving party no inquest is necessary, for each defendant as to which default judgment is sought, an analysis demonstrating that the information presented together with the application for default judgment support the

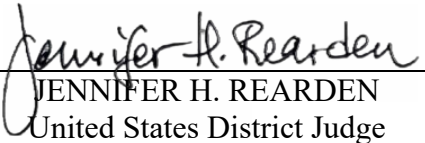
requested award of damages.” *See* Attachment A – Default Judgment Procedure.¹ Plaintiff failed to provide the requisite memorandum of law.

Plaintiff’s motion is denied without prejudice to renewal. Plaintiff shall follow the Court’s Individual Rules and Practices and file his memorandum of law by **June 18, 2025**.

The Clerk of the Court is directed to terminate ECF No. 19.

SO ORDERED.

Dated: June 4, 2025
New York, New York


JENNIFER H. REARDEN
United States District Judge

¹ The version of the Court’s Individual Rules and Practices that was in effect when Plaintiff filed the instant motion (i.e., the Court’s Individual Rules and Practices as of March 4, 2024) also included that requirement.